

REMARKS

Claims 30-106 are now subject to a restriction requirement made in the Office Action dated October 27, 2008. The Office Action identified two species: Species 1, depicted in Figs. 3-5D, wherein the needle pierces a tissue flap only in order to enter the chamber beyond a septum wall to close and/or seal a septal defect; and Species 2, depicted in Figs. 6-8B, wherein the needle pierces both a tissue flap and an overlapping portion of the septum wall in order to close and/or seal a septal defect.

In response, the applicants hereby elect Species 2 without traverse. All pending claims (claims 30-106) encompass the elected species.

Prompt and favorable action on the merits of the claims is earnestly solicited. Should the Examiner have any questions or comments, the undersigned can be reached at (949) 567-6700. The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 15-0665.

Respectfully submitted,

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Dated: November 4, 2008

By: 

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